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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/690,993

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John Eric Kleider

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22863 7590 11/19/2008
MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
1L01/3RD
SCHAUMBURG, IL 60196

EXAMINER

WANG, TED M

ART UNIT

PAPER NUMBER

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MAIL DATE

DELIVERY MODE

11/19/2008

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN ERIC KLEIDER,
BRUCE ALAN FETTE, JEFFERY SCOTT CHUPRUN,
CARL STEVEN GIFFORD and CHAD S. BERGSTROM

Application 09/690,993
Technology Center 2600

Mailed: November 19, 2008

Before KRISTA ZELE, *Deputy Chief Appeals Administrator*.

ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on September 29, 2008. A review of the Image File Wrapper (IFW) revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on March 24, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) (2007) and the *Manual of Patent Examining Procedure* (MPEP) § 1208, part II (Eighth Edition, Rev. 6, September 2007).

Accordingly, it is **ORDERED** that the application be returned to the Examiner:

- 1) to consider the Reply Brief filed March 24, 2008; and
- 2) for such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ:psb

Motorola, Inc.
1303 East Algonquin Road
1L01/3rd
Schaumburg, IL 60196